

HOUSE No. 947

By Mr. Connolly of Everett, petition of Edward G. Connolly relative to the collection of past due restitution by the Commissioner of Probation. The Judiciary.

The Commonwealth of Massachusetts

In the Year Two Thousand and Five.

AN ACT PROVIDING FOR THE COLLECTION OF PAST DUE RESTITUTION.

Be it enacted by the Senate and House of Representatives in General Court assembled, and by the authority of the same, as follows:

1 SECTION 1. Chapter 10 of the General Laws is hereby
2 amended by inserting after section 10B the following section:—
3 Section 10C. Prior to disbursement of a prize in excess of \$600
4 the commission shall review information furnished by the com-
5 missioner of probation as set forth in section 92B of chapter 276
6 to ascertain whether the holder of a winning ticket owes past due
7 restitution. If the holder owes past due restitution, the commission
8 shall notify the commissioner of probation of the holders' name,
9 address and social security number. Subsequent to statutory state
10 and federal tax withholding, the commission shall disburse to the
11 commissioner of probation the full amount of the prize or such
12 portion of the prize that satisfies the holder's past due restitution.

1 SECTION 2. Subsection (b) of section 21 of chapter 62C of the
2 General Laws, as appearing in the 2000 Official Edition, is hereby
3 amended by adding the following clause:—
4 (19) disclosure to the commissioner of probation to determine
5 if any restitution is owed and past due under the provisions of
6 section 92B of chapter 276.

1 SECTION 3. Section 1 of chapter 62D, as so appearing, is
2 hereby amended by inserting after the figure "118G", in line 9, the
3 following:— or the commissioner of probation.

1 SECTION 4. Said section 1 of said chapter 62D, as so
2 appearing, is hereby further amended by inserting after the word
3 “revenue”, in line 10, the following:— or the commissioner of
4 revenue as the case may be.

1 SECTION 5. Said section 1 of said chapter 62D, as so
2 appearing, is hereby further amended by inserting after the figure
3 “118G”, in line 46, the following:— or an individual who owes
4 overdue restitution under the provisions of section 92B of chapter
5 276.

1 SECTION 6. Section 13 of said chapter 62D, as so appearing,
2 is hereby amended by adding the following clause:—
3 (viii) the commissioner of probation.

1 SECTION 7. Chapter 175 of the General Laws is hereby
2 amended by inserting after section 24D the following section:—
3 Section 24E. Prior to making any nonrecurring payment equal
4 to or in excess of \$500 to a claimant under a contract of insurance,
5 every company authorized to issue policies of insurance pursuant
6 to this chapter shall exchange information with the commissioner
7 of probation to ascertain whether such claimant owes past due
8 restitution.

1 SECTION 8. The commissioner of probation shall maintain a
2 record of all past due restitution and shall collect past due monies
3 from the state lottery commission, the department of revenue and
4 insurance companies and shall distribute same to those owed past
5 due restitution.